IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION

CIVIL ACTION NO. 7:19-CV-00088-D

CALVIN TYRONE NORTON,))
Plaintiff,)
v.	DECLARATION OF DAN HARTZOG
COLUMBUS COUNTY BOARD OF ELECTIONS, et al.,	JR.))
Defendants.))

- I, Dan Hartzog Jr., hereby declare as follows:
- 1. I have personal knowledge of the facts set forth in this Declaration, and I am otherwise competent to testify about them.
- 2. I am a partner with the law firm Hartzog Law Group LLP, and I serve as counsel for Defendant Jody Steadman Greene ("Defendant Greene") in the above-captioned lawsuit.
- 3. Defendant Greene's Motion to Dismiss, filed pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, is currently pending before the Court.
- 4. During the pendency of his and other motions to dismiss, and since the Court has not yet issued a Rule 26 scheduling order, Defendant Greene has not had the opportunity to conduct any discovery in this action, including serving any parties or witnesses with written discovery requests or deposing any parties or witnesses.
- 5. To adequately respond to Plaintiff's Motion for Summary Judgment or Partial Summary Judgment, a significant degree of discovery will be needed, including discovery as to the facts and circumstances surrounding Defendant Greene's residency and domicile, eligibility to

run for office as Sheriff, intent in his representations to the public, and candidacy filing

submissions, among other issues.

6. As discovery has yet to begin, and discovery will be needed to respond to Plaintiff's

Motion for Summary Judgment or Partial Summary Judgment, it is my opinion that ruling on

Plaintiff's Motion at this juncture would be premature.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of March, 2020.

/s/ Dan Hartzog Jr.

Dan Hartzog Jr.

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